

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In re the Chapter 11 of )  
 )  
THOMAS and CAROL GOEDERT )  
 ) Case No. 18-27787  
 )  
Debtors. )

**NOTICE OF MOTION**

TO:

Patrick S Layng, US Trustee via Electronic notice.

All creditors on the attached Creditor Service List received notice via First Class US Mail.

PLEASE TAKE NOTICE that on November 6, 2018 at 10:00 AM in Courtroom 744 of the Dirksen Federal Building located at 219 South Dearborn St., Chicago, IL 60604, before the Honorable Judge Barnes, the Bankruptcy Court will hear the Debtor's **Motion to Set Last Day to File Proofs of Claim.**

Respectfully Submitted  
by

/s/Ben Schneider  
One of the Proposed Attorneys for the Debtor

Ben Schneider  
8424 Skokie Blvd.  
Suite 200  
Skokie, IL 60077  
Office: 847-933-0300  
Fax: 847-676-2676  
ARDC #6295667

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In re the Chapter 11 of	)	
	)	
THOMAS and CAROL GOEDERT	)	
	)	Case No. 18-27787
	)	
Debtors.	)	

**MOTION TO SET LAST DAY TO FILE PROOFS OF CLAIM**

The above-captioned debtors (“*Debtor*”) hereby moves for entry of an order, substantially in the form submitted herewith, establishing the deadlines for filing proofs of claim against the Debtors. In support of this motion, the Debtors respectfully state as follows:

**JURISDICTION**

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory bases for the relief requested herein are sections 105(a), 501, 502, 503, and 1111(a) of title 11 of the United States Code (the “Bankruptcy Code”) and Rules 2002(a)(7), 3003(c), and 5005(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

**RELIEF REQUESTED**

4. On October 2, 2018 (the “*Petition Date*”), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.
5. Pursuant to Sections 1107 and 1108 of the Bankruptcy Code, the Debtor remains in possession of his assets and is operating as a debtor-in-possession.
6. The Debtor is an individual with primarily unsecured debts.

7. As a routine measure in Chapter 11 cases, courts set deadlines by which creditors must file proof of their claims against the bankruptcy estate. 11 U.S.C. § 1111(a); FED. R. BANKR. P. 3003(c)(2). Such deadlines promote the effective and efficient administration of a bankruptcy case, as well as the prompt resolution of disputes. *See In re Nat'l Steel Corp.*, 316 B.R. 510, 514 (Bankr. N.D. Ill. 2004) (“fixing a bar date is not merely a routine step, but rather it promotes efficiency in the reorganization process by promptly identifying claims that the plan must consider for the Debtor and other plan proponents.”) (citations omitted); *see also In re J.S. II, L.L.C.*, No. 07-3856, 2008 WL 1848663, at \*2 (N.D. Ill. Apr. 16, 2008).
8. Bankruptcy Rule 3003(c)(2) provides that any creditor whose claim is not scheduled in the Debtor’s schedules or whose claim is scheduled as disputed, contingent or unliquidated, must file a proof of claim. Bankruptcy Rule 3003(c)(3) further provides that a bankruptcy court shall fix the time within which proofs of claim must be filed in a Chapter 11 case pursuant to section 501 of the Bankruptcy Code. The Local Rules for the United States Bankruptcy Court for the Northern District of Illinois do not specify a time by which proofs of claim must be filed in chapter 11 cases, except as provided by section 502(b)(9) of the Bankruptcy Code for governmental units.
9. To expedite the process of emerging from bankruptcy, the Debtors respectfully propose that the Court set a deadline of March 31, 2019, for all entities other than Governmental Units to file claims against the Debtor.
10. The Debtors propose that the March 31, 2019 deadline apply to all Claims (as defined in the Bankruptcy Code) against the Debtor arising prior to the Petition Date, including,

without limitation, claims with priority pursuant to section 503(b)(9) of the Bankruptcy Code, except for claims of Governmental Units.

11. With respect to the claims of Governmental Units, section 502(b)(9) of the Bankruptcy Code and Bankruptcy Rule 3002(c) provide that such claims are timely if filed within 180 days of the Petition Date. 11 U.S.C. § 502(b)(9).

12. In this case, the Petition Date is October 2, 2018, and thus the Debtor requests that the claims bar date for Governmental Units be set as March 31, 2019.

13. The relief requested herein will facilitate the fair and efficient reorganization of the Debtors and the estate.

WHEREFORE, for the reasons set forth herein, the Debtors respectfully request that the Court enter an order, substantially in the form submitted herewith, granting the relief set forth herein and granting such other and further relief as is just and proper.

Respectfully Submitted  
by

/s/Ben Schneider  
One of the Proposed Attorneys for the Debtors

Ben Schneider  
8424 Skokie Blvd.  
Suite 200  
Skokie, IL 60077  
ARDC # 6295667  
Phone: 847-933-0300